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INFO RUEHAA/AMEMBASSY ASHGABAT 4143
RUEHTA/AMEMBASSY ASTANA 0355
RUEHEK/AMEMBASSY BISHKEK 4758
RUEHLM/AMEMBASSY COLOMBO 0621
RUEHDK/AMEMBASSY DAKAR 0231
RUEHDBU/AMEMBASSY DUSHANBE 0640
RUEHIL/AMEMBASSY ISLAMABAD 4347
RUEHBUL/AMEMBASSY KABUL 2639
RUEHK/T/AMEMBASSY KATHMANDU 0660
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RUEHNO/USMISSION USNATO 1916
RUEHGV/USMISSION GENEVA 1315
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RUEKJCS/SECDEF WASHINGTON DC
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C O N F I D E N T I A L TASHKENT 000793

SIPDIS

DEPT FOR SCA, DRL, AND G/TIP
G/TIP MEGAN HALL; SCA FOR JESSICA MAZZONE

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TAGS: PHUM ELAB PGOV PREL SOCI UZ

SUBJECT: UZBEK AUTHORITIES DEVELOP PLAN TO IMPLEMENT CHILD
LABOR CONVENTIONS

REF: TASHKENT 632

Classified By: POLOFF R. FITZMAURICE FOR REASONS 1.4 (B, D)

¶1. (C) On July 8, International Labor Organization (ILO) representative Svetlana Rakimova (protect) provided poloff with a copy of the government's draft national action plan on implementing ILO child labor Conventions 182 (Worst Forms of Child Labor) and 138 (Minimum Age of Employment), which the government shared with ILO and the United Nations Children's Fund (UNICEF) for comment. When finally adopted, the national action plan will be signed by First Deputy Prime Minister of Uzbekistan Rustam Azimov. Rakimova further noted that the ILO has registered Uzbekistan's ratification notice for ILO Convention 182 (which is already listed on ILO's website) and is engaged in "formal communication" with the government on the necessary paperwork for registering Convention 138, which she expected to be completed shortly.

¶2. (C) As currently written, the government's national action plan, scheduled to run from 2008 to 2010, has many positive features, and appears to satisfy, at least on paper, the demands of the two ILO conventions. The plan's coordinating mechanism will be a multi-agency working group on child labor that ILO helped launch in 2006. Government entities tasked with implementing specific components of the plan include the Ministries of Foreign Affairs, Internal Affairs, Labor, Health, Justice, Finance, Economy, Higher and Secondary Education, as well as the State Statistics Committee, hokimiyats (provincial administrations), the General Prosecutor's Office, the National Human Rights Center, and the state-controlled "Kamolat" youth movement, Mahalla (neighbor committee) Foundation, and media. UNICEF, ILO, and unnamed "non-governmental organizations" are also listed as implementing partners.

¶3. (C) In line with ILO convention 138, the government plans to:

- develop a list of occupations with unfavorable and

dangerous work conditions where it will be prohibited for individuals under the age of 18 to work (Comment: The government already adopted a similar list of prohibited occupations for minors, including cotton-picking, in 2001, but it does not appear to have been widely implemented. End comment.);

- amend the Administrative Code to include specific administrative penalties for violating legislation related to the minimum age of employment;
- establish a monitoring mechanism and improve the statistical recording of incidences of child labor;
- disseminate informational materials to employers on the minimum age of employment;
- publish a series of articles in the state-controlled media and distribute brochures and other publications on the minimum age of employment;
- prepare an annual report on the implementation of Convention 138 for the ILO's Director General in Geneva.

¶4. (C) In line with ILO convention 182, the government plans to:

- organize awareness-raising activities and materials for employers and the general populace on the negative consequences for children engaged in hazardous labor;
- review Uzbekistan's current labor legislation (including the Labor Code, the Law On Employment, and new anti-human trafficking law) for compliance with Conventions 182 and 138 and determine any necessary amendments;
- conduct an annual roundtable discussion with international organizations on World Day Against Child Labor on June 12;
- carry out an assessment on the use of forced and worst forms of child labor;
- strengthen penalties against those employing children in the worst forms of child labor;
- improve mechanisms for monitoring attendance at educational establishments and lowering truancy;
- establish centers in each province to rehabilitate exploited children;
- provide trainings for relevant labor monitors, education professionals, and law enforcement officials on the worst forms of child labor, including the sharing of best practices;
- set up a special council under the Cabinet of Minister on eliminating the worst forms of child labor;
- determine future projects for ILO's International Program on the Elimination of Child Labor (IPEC) in Uzbekistan;
- build the capacity of (unspecified) non-governmental organizations focusing on child labor;
- contribute to reports by foreign organizations on the worst forms of child labor and actively participate in international conferences on the subject;
- prepare an annual report on the implementation of Convention 182 for the ILO's Director General in Geneva.

NO FORMAL COMPLAINTS PENDING AGAINST UZBEKISTAN

¶5. (C) In a June 23 letter addressed to Ambassador-at-Large and Director of the Office to Combat Trafficking-in-Persons (TIP) Mark Lagon, the International Labor Rights Forum alleged that there is a pending "complaint" against Uzbekistan tied to forced labor in cotton production and the application of ILO Conventions 29 (On Forced Labor) and 105 (On the Abolishment of Forced Labor) before the ILO Committee of Experts (Note: Uzbekistan has adopted both conventions. End note.) Rakhimova explained that there are pending "observations" originally made by Uzbekistan's Trade Union Confederation Council in 2004 over the forced labor of public sector workers and schoolchildren during the cotton harvest, but they have not yet reached the level of formal "complaints." The Committee of Experts sent its comments to the government. According to Rakhimova, the government has recently responded and has largely denied the allegations. The government's comments will be considered at the next Committee of Experts session in November 2008.

USE OF CHILD LABOR FOR COTTON-PICKING

¶6. (U) The compulsory mobilization of students for the annual fall cotton harvest in Uzbekistan is a long-standing practice dating back to the Soviet era. With privatization of farmland after the breakup of the Soviet Union, pressure has built up on individual farmers to use even young children as labor during the harvest season. During the latest harvest in the fall of 2007, schools closed for approximately one month in many rural areas to allow children to pick cotton. Although a majority of students involved are older than 15, non-governmental organizations and journalists continue to document cases of children younger than 15 participating in the harvest. There are no reliable statistics for the extent of child and forced adult labor during the annual cotton harvest. Recent estimates by non-governmental organizations for the number of school-age children involved in cotton picking each year range from tens of thousands to up to two million (reftel).

COMMENT

¶7. (C) We welcome the formation of the government's national action plan, which, if enacted, will contribute greatly to

combating child labor in Uzbekistan. We are especially pleased to see that the plan includes steps to conduct annual roundtable discussions for World Day Against Child Labor on June 12; to carry out an assessment on the use of forced and worst forms of child labor; to strengthen penalties against those exploiting children; and to establish centers in each province to rehabilitate exploited children. The plan's formulation is another victory for ILO and UNICEF and demonstrates that steady engagement with the government can eventually pay dividends, and is much more likely to be successful in limiting incidences of child labor in Uzbekistan than threats of boycott by human rights activists.

However, the real test of the government's commitment to combating child labor remains the extent to which the national action plan is actually implemented on the ground.

NORLAND